

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CHARLES A. CORREIA, ET AL)	
Plaintiffs)	C.A. No. 05-11494
VS.)	
)	
ADESA IMPACT,)	
Defendants)	
_____)	

MOTION TO CONSOLIDATE

Now comes the plaintiffs in the above entitled case and respectfully request that this Court join both pending cases Bemis, et al vs. Adesa docket 05-11493 and Correia, et al vs. Adesa 05-11494 for the purposes of discovery and dispositive motions. As reasons therefore, plaintiffs state that this Court recently assigned the above cases to Magistrate Judge Bowler and Magistrate Judge Alexander for the purpose of full pretrial discovery and dispositive motions. However, both of these cases share a common nucleus of identical operative facts, involving the contamination of their properties by the defendant at the same time and as a result of the same series of events.

The only difference between the two cases, is that one Complaint deals with all of the plaintiffs living in Matthews Landing, one neighborhood. The second Complaint arises out of contamination of a second set of plaintiffs' located in an adjacent neighborhood.

Based on the above, and in the interest of judicial economy, the Plaintiffs would respectfully request that this Court assign both cases to Magistrate Judge Bowler rather than the cases being referred to two separate judges.

By their Attorneys,
BRIAN CUNHA & ASSOCIATES
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Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and that all counsel of record are so registered.

Dated: August 11, 2006

/s/ Brian R. Cunha
Brian R. Cunha, Esq.